THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITON NO. 7866 OF 1999

DATED: 05-07-2006

BETWEEN:

Smt. Ch. Jaya Lakshmi,
W/o. late B.J. Pramodam … Petitioner

And

Commissioner and Special Officer,
Municipal Corporation of Hyderabad
And four others …
Respondents

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ORDER:

It is the case of the petitioner that she is the owner of the premises bearing No.1-1-9/10 situated at Jawaharnagar, Bakaram, Hyderabad and the respondent No.4 is the owner of the premises bearing No.1-1-17/A situated in the said area admeasuring 400 square yards and the said area has been developed by the 5th respondent-builder and the 5th respondent without following the building regulations deviated the same and therefore, she seeks to issue a writ of Mandamus for enforcement of building regulations.

Learned counsel appearing for the respondents 1 to 3 submits that no doubt respondents 4 and 5 deviated the building regulations, and therefore action has been initiated against them. Questioning the same, fifth respondent filed a suit in O.S.No.658/99 on the file of the II Junior Civil Judge, City Civil Court, Secunderabad and obtained orders of Status quo. It is further stated that fifth respondent also filed

an application to regularize the deviations.

Having regard to the facts and circumstances of the case, I am of the opinion that it is for the respondents to take expeditious steps to get the disposal of the suit and also appropriate action for enforcement of the building regulations.

Writ petition is accordingly disposed of directing the respondents 1 to 3 to take appropriate action in accordance with law. No order as to costs.

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V. ESWARAIAH, J.

Dated: 05-07-2006
RNS